

COUNTY OF SHASTA		Number
ADMINISTRATIVE MANUAL		3-401
SECTION:	Risk Management	Electronic Message Retention
INITIAL ISSUE DATE:	November 15, 2011	
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PURPOSE

To outline the policies and procedures adopted by the Board of Supervisors regarding retention of electronic mail.

BACKGROUND

Generally, messages sent to a user’s mailbox are temporary communications which are non-vital and should be discarded routinely. However, depending on the content of the message, it may be considered public record. Accordingly, employees have the same responsibilities for their mailbox messages as they do for any other public record, and must distinguish between records and non-record information.

POLICY/PROCEDURE

Electronic Mail: Generally, messages sent to a user’s mailbox are temporary communications which are non-vital and should be discarded routinely. However, depending on the content of the message, it may be considered public record. Accordingly, employees have the same responsibilities for their mailbox messages as they do for any other public record, and must distinguish between records and non-record information.

Back up: Electronic mail should be considered a communication tool, not a storage mechanism. Back up tapes are for disaster recovery purpose only. However, the County does access backup tapes periodically to restore data. Retention is the responsibility of the sender of the message, not the back up process. Back up copies performed by Information Technology staff are *not* records retention. Back up tapes should be retained no more than six months.

Legal Proceedings: Regardless of retention requirements, electronic mail and all other electronic or paper documents pertaining to threatened or actual legal proceedings must be retained until the litigation is finally concluded pursuant to the County's litigation hold policy.

Retention of Record Electronic Mail: The definition of public records includes any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by the County. The definition includes electronic records, including e-mail, voicemail or fax messages sent to the same mailbox. The definition does *not* include preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the County in the ordinary course of business. Personal correspondence and interdepartmental and intradepartmental messages should routinely be

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deleted unless either the sender or the recipient would have retained the writing had it been sent in any other form. Messages received from outside the County should be retained by the recipient if he or she would have retained the document if it had been sent in any other form.

Responsibility for Retention: The sender of the message, regardless of message type, is responsible for ensuring proper retention of messages sent within the County. All other copies are duplicates and may be deleted. However, if a record message was sent by an outside agency, a member of the public or anyone outside the County, the recipient is responsible for retention.

Method of Retention: Message records that have not met their retention period should be saved by one of the following methods:

- Print the e-mail or e-mail based fax and store the hard copy in the appropriate file.
- Electronically store the message on a shared network drive. Note: When there is doubt about the ability to retrieve an electronic record over its life span, the record should be printed and maintained in a hard copy format.
- Voice messages may be transcribed, printed, and saved to a shared network drive.

Each department shall select the method of retention for that department.

Retention Period for Record Messages: E-mail, e-mail based voicemail and e-mail based faxes sent to the same mailbox are themselves not considered a record series or category; it is a means of transmission of messages or information. Retention or disposition of these messages must be related to the information they contain or the purpose they serve. Thus, the retention period is determined by the content of the message, not the medium. Record messages may be deleted upon expiration of the statutory retention period (or after two years if there is no statutory retention period) upon authorization of the Board of Supervisors pursuant to Government Code section 26202. When in doubt about the legally appropriate retention period, consult the County Counsel's Office.

Electronic Message Attachments: Attachments should be retained or disposed of according to the content of the attachment itself, not the message which transmits the attachment. Thus, attachments should be retained if they constitute a document which the recipient or the sender would ordinarily retain in the course of business.

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RESPONSIBLE DEPARTMENTS

Information Technology

REFERENCES

BOS Policy Resolution No. 2011-10--11/15/2011 (Adopted)